

Remarks

Reconsideration of this application is respectfully requested. Prior to entry of this amendment, claims 1-18 were pending, and upon entry of this amendment claims 1-18 will remain pending.

In the final Office Action mailed December 4, 2003, the Examiner rejected claims 1, 4, 6, and 11-16 under 35 U.S.C. § 102(e) as being anticipated by U.S. Patent No. 6,555,928 to Mizuno et al. (hereinafter referred to as "the Mizuno patent"). The Examiner also rejected claims 2, 3, 5, and 7-10 under 35 U.S.C. § 103(a) as being unpatentable over the Mizuno patent in view of U.S. Patent No. 6,490,511 to Raffari et al. (hereinafter referred to as "the Raffari patent").

For the reasons set forth in greater detail below, the Applicants believe that claims 1-18 are neither anticipated nor rendered obvious by the cited references.

With respect to the 35 U.S.C. § 102(e) rejection to claims 1, 4, 6, and 11-16 over the Mizuno patent, the Applicants submit that the Mizuno patent fails to anticipate each element recited in the rejected claims. In particular, the Mizuno patent fails to disclose a "controller comprising a plurality of removable control portions, wherein each respective portion corresponds to a certain hybrid electric vehicle drive system functionality." These limitations are particularly recited in independent claims 1, 11, and 15.

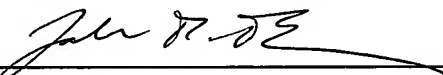
In contrast, the Mizuno patent merely discloses that the units controlled by the controller can be removable, as opposed the Applicants' claimed invention where portions of the controller are removable. In support, the portion of the Mizuno patent relied upon by the Examiner to teach the removable control portions is reproduced below to clearly point out that only the fuel cell unit 38 and battery controller unit 94 are removable and that no portions of the vehicle controller 34 are removable.

With respect to the 35 U.S.C. § 103(a) rejection of claims 2, 3, 5, and 7-9, the Applicants submit that the combination of the Mizuno patent and the Raffari patent fails to render these depended claims unpatentable. In particular, the Raffari patent fails to make up for the deficiency of the Mizuno patent in teaching that the controller includes a plurality of removable control portions. Consequently, dependent claims 2, 3, 5, and 7-10 are patentable and nonobvious over the combination of the Mizuno and Raffari patents for at least the same reasons that the independent claims from which they depend are patentable.

For the foregoing reasons, Applicants submit that claims 1-18 are neither anticipated nor rendered obvious by the Mizuno and/or the Raffari patents. The Examiner is respectfully requested to pass this case to issue, and is respectfully invited to contact the undersigned if it would further advance prosecution of this application to issue.

Respectfully submitted,

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